

REMARKS

I. Summary of the Office Action

Claims 1-22 are pending in this application.

Claims 13 and 14 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

Claims 1-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ben-Shaui et al., U.S. Patent Publication No. 2002/0010798 ("Ben-Shaui").

II. Summary of Applicants' Response

Applicants have amended claim 13 and cancelled claim 14 in response to the claim rejections under 35 U.S.C. § 112, first paragraph.

Applicants respectfully traverse the claim rejections under 35 U.S.C. § 112, second paragraph, and 35 U.S.C. § 102(e).

III. Response to Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 13 and 14 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicants have amended claim 13 to substitute "ten minutes" for a "fraction of time" to clarify that the video content object may be rendered at an intended playback rate that would exceed a fraction of time of broadcast quality video.

Applicants have also cancelled claim 14. Support for this amendment is found throughout the specification, for example, at page 5, lines 5-8. Accordingly, applicants respectfully submit that the rejection should be withdrawn.

IV. Response to Claim Rejections Under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1-22 under 35 U.S.C. § 102(e) as being anticipated by Ben-Shaui. Applicants respectfully disagree and traverse the rejections.

A claim is anticipated under 35 U.S.C. § 102 only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.

Applicant respectfully submits that Ben-Shauí does not teach each and every element recited in the independent claims 1 and 22.

Specifically, Ben-Shauí does not teach “a storage device coupled to said server computer” in a metadata enabled edge server “and storing metadata describing content objects accessible to said server computer including at least one location from where a particular one of said content objects is stored.” Ben-Shauí also does not teach a controller in a metadata enabled server “for distributing said particular one of said content objects to said user using said metadata.” Ben-Shauí at best teaches an edge server that delivers content to users based on service policies that are stored in an origin server or in a policy control server, i.e., based on policies that are stored in servers *other than* the edge server itself. The distribution of content is controlled by the origin server and using policies stored in the origin server or in the policy control server rather than policies or metadata stored in the edge server itself.

As stated in Ben-Shauí, “[T]he invention provides a content and application delivery system comprising an origin web site which has an origin web server having a first memory for storing a first version of web content. The system includes an edge server communicating via a data network with the origin web server and with a policy control server. The edge server has a second memory for storing a second version of the web content and deriving the second version from the origin web server according to directives of a service policy that resides at the policy control server. The edge server downloads the directives of the service policy from the policy control server via the data network. A request of a user directed to the origin web site for a resource from the web content is redirected to the edge server, and responsive to the request a third version of the web content is provided to the user from the edge server, the third version is derived from the second version in accordance with the directives of the service policy” (Ben-Shauí, paragraph 0072). Further, “[A]ccording to an aspect of the invention, the policy control server is the origin web server itself” (Ben-Shauí, paragraph 0073).

As shown in FIG. 6 of Ben-Shauí, the invention disclosed therein provides “[T]he content delivery manager 44 associated with an origin web server 46, and optionally with a policy control server 42, although it does not have to reside in the same physical site as the origin web server 46 or the policy control server 42. The content delivery manager 44 is responsible for specifying content delivery policies, preferably using CDML, and for embedding CDML in

the content, either within actual web pages or at separately addressable CDML pages, as well as deploying it to edge servers” (Ben-Shaui, paragraph 00182). The content delivery policies specified in the CDML pages therefore reside at an origin web server or at policy control server and are deployed to an edge server when necessary. “The CDML code can be stored as a URL in the origin web server 46 under a special CDML directory, or in a policy control server 42 that is distinct from the origin web server 46, and is intended to be fetched by edge servers” (Ben-Shaui, paragraph 00187).

In contrast, the edge server disclosed in the present invention delivers content to users using metadata that is stored in a local storage device coupled to the edge server itself. Although metadata is also stored in the origin server, the edge server does not have to “fetch” the metadata from the origin server before deciding which action to take according to the metadata. “Since typical metadata for any particular video are orders of magnitude smaller than the video data files themselves, distribution of metadata in the network and storage at the edge servers (or even at clients directly) is viable operation and does not significantly impact edge servers storage” (specification, page 26, lines 13-17).

Content delivery is controlled by the edge server itself with a controller that distributes content objects to users based on the metadata stored locally in the storage device. In Ben-Shaui, content delivery is controlled by the origin server. As stated in Ben-Shaui, “[U]nlike conventional client-based caches and other content delivery and distribution based caches, the content of edge server caches and their validation policies are controlled by the origin site, the target site or a third party site, using the service policy” (Ben-Shaui, paragraph 0048). Ben-Shaui does not therefore disclose or teach that content delivery control is performed by the edge server itself using locally stored metadata.

Applicant therefore respectfully submits that Ben-Shaui does not teach each and every element as set forth in Applicants’ claims, either expressly or inherently. The rejections under 35 U.S.C. §102(e) should therefore be withdrawn.

CONCLUSION

In view of the above amendments and remarks, applicants respectfully submits that the present application is in condition for allowance.

If any matters can be resolved by telephone, the Examiner is invited to call the undersigned agent at the telephone number listed below. The Commissioner is authorized to charge any additional required fees, or credit any overpayment, to Dorsey & Whitney LLP Deposit Account No. 50-2319 (Order No. A-69967 (468914-00017))

Respectfully submitted,

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